

REMARKS

The Official Action mailed June 19, 2003, has been received and its contents carefully noted. A Notice of Appeal was filed November 19, 2003. Filed concurrently herewith is a *Request for Five Month Extension of Time*, which extends the shortened statutory period for response to June 19, 2004. Also, filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on January 24, 1997, November 26, 1997, December 8, 1997, December 9, 1998, December 31, 1998, and June 16, 2000. A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 78-157 were pending in the present application prior to the above amendment. Dependent claims 80, 81, 86, 87, 92, 93, 98, 99, 106, 107, 114, 115, 122, 123, 130, 131, 136, 137, 142, 143, 148, 149, 154 and 155 have been canceled. Claims 78, 83, 84, 89, 90, 95, 96, 101, 102, 108, 110, 116, 118, 126, 134, 140, 146, 152 and 153 have been amended to better recite the features of the present invention and to correct minor typographical and grammatical errors. Accordingly, claims 78, 79, 82-85, 88-91, 94-97, 100-105, 108-113, 116-121, 124-129, 132-135, 138-141, 144-147, 150-153, 156 and 157 are now pending in the present application, of which claims 78, 84, 90, 96, 102, 110, 118, 126, 134, 140, 146 and 152 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action rejects claims 78-101, 110-115, 117-127, 129-138 and 146-157 as obvious based on the combination of U.S. Patent No. 4,755,865 to Wilson et al., U.S. Patent No. 4,772,927 to Saito et al. and U.S. Patent No. 4,841,348 to Shizukuishi et al. Paragraph 3 of the Official Action rejects claim 116 as being obvious based on the combination of Wilson, Saito, Shizukuishi and U.S. Patent No. 5,219,784

to Solheim. Paragraph 4 of the Official Action rejects claims 128 and 139 as being obvious based on the combination of Wilson, Saito and U.S. Patent No. 4,694,317 to Higashi et al. Paragraph 5 of the Official Action rejects claims 102-107, 109 and 140-144 as being obvious based on the combination of Wilson, Saito, Shizukuishi and U.S. Patent No. 4,766,471 to Ovshinsky et al. Paragraph 6 of the Official Action rejects claim 145 as being obvious based on the combination of Wilson, Saito, Shizukuishi, Ovshinsky and Higashi. Paragraph 7 of the Official Action rejects claim 108 as being obvious based on the combination of Wilson, Saito, Shizukuishi, Ovshinsky and Solheim. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

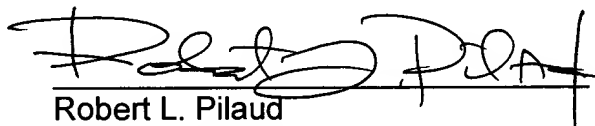
As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 78, 84, 90, 96, 102, 110, 118, 126, 134, 140, 146 and 152 have been amended to recite a channel region comprising semi-amorphous silicon, which is supported by Example 1 of the original application. Wilson and Saito, either alone or in combination with one or more of Shizukuishi, Ovshinsky and Solheim do not teach or suggest at least the above-referenced features of the present invention.

Since Wilson and Saito, either alone or in combination with one or more of Shizukuishi, Ovshinsky and Solheim do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. L. Pilaud', written over a horizontal line.

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